

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DUANE P. GIBSON,

Petitioner,

v.

MARGARET BRADSHAW, Warden,

Respondent.

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Case No. 5:05cv2093

JUDGE KATHLEEN O'MALLEY

ORDER

Pursuant to the Court's order of this date, Gibson's federal habeas corpus petition is **TRANSFERRED** to the Sixth Circuit Court of Appeals for a determination whether Gibson may proceed with the petition in this Court; the current action in this Court is, thus, termed. Pursuant to 28 U.S.C. §1915(a)(3), the Court certifies that an appeal in forma pauperis from this decision could not be taken in good faith.

IT IS SO ORDERED.

**s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE**

Dated: June 7, 2006